

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

FAO.No. 11 of 2007()

I.A.1574/2006 IN OS.218/2006 of PRINCIPAL SUB COURT,PARAVUR
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APPELLANTS/PETITIONERS/PLAINTIFFS:

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1. M.R. MANOJ, AGED 31 YEARS,
S/O.RAVEENDRAN ELAYIDOM, MUNDACKAL HOUSE,
IRINGOLE KARA, PERUMBAVOOR VILLAGE.
 2. KANAKAM, AGED 53 YEARS,
D/O.ARJUNAN PILLAI, MUNDACKAL HOUSE,
IRINGOLE KARA, PERUMBAVOOR VILLAGE.

BY ADV. SRI.H.B.SHENOY
SRI.B.ASHOK SHENOY
SMT.LAKSHMI B.SHENOY
SRI.ABU MATHEW
SRI.M.S.ABDUL RAHIM

RESPONDENTS:

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1. DEPUTY TAHSILDAR (REVENUE RECOVERY),
KUNNATHUNADU TALUK OFFICE, PERUMBAVOOR
 2. VILLAGE OFFICER, PERUMBAVOOR VILLAGE OFFICE,
PERUMBAVOOR
 3. KERALA KHADI & VILLAGE INDUSTRIES
BOARD REPRESENTED BY ITS SECRETARY,
THIRUVANANTHAPURAM.

THIS FIRST APPEAL FROM ORDERS HAVING COME UP FOR ADMISSION
ON 09/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

KURIAN JOSEPH & A.K.BASHEER,JJ.

F.A.O.No.11 of 2007

Dated this the 9th day of January, 2007

JUDGMENT

Kurian Joseph,J.

This appeal is against the order dated 15-11-2006 in I.A.No.1574/2006 in O.S.No.218/2006 on the file of the Principal Subordinate Judge's Court, North Paravur. Appellants are the petitioners/plaintiffs. They filed the interlocutory application restraining the respondents from initiating revenue recovery proceedings based on the demand notice dated 10-4-2006. Admittedly amounts are due to the Kerala Khadi and Village Industries Board, Trivandrum and at their instance only steps were taken for revenue recovery. They are not parties in the interlocutory application. Without hearing them no effective order could have been passed. Therefore, we dismiss I.A.No.1574/2006 in O.S.No.218/2006 on the file of the Principal Subordinate Judge's Court, North Paravur on the only ground of non-

impleadment of the affected party. It is made clear that this judgment shall not stand in the way of the appellants moving a fresh petition before the court below after impleading the affected party on the party array in the interlocutory application.

(KURIAN JOSEPH, JUDGE)

(A.K.BASHEER, JUDGE)

ahg.

KURIAN JOSEPH &
A.K.BASHEER, JJ.

F.A.O.NO.11/2007

JUDGMENT

9th January, 2007